@#@#@#@#@#@#@

HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO :4430 of 2006

DATED:07-03-2006

Between:

N.Mabu

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority,

Kadapa, Kadapa District, and another

.....RESPONDENTS

@#@#@#@#@#@#@

ORAL ORDER:

Heard learned counsel for the petitioner Sri B.Chandra Sekhar and the learned Government Pleader for Transport and both of them would agree that the writ petition may be disposed of at the stage of admission.

Questioning the action of the respondents in seizing and detaining the

petitioner's Heavy Goods vehicle bearing Registration No.AP-04-U-6777 pursuant to the Vehicle Check Report No.417585, dated 25-02-2006 as arbitrary and illegal, the present writ petition is filed.

The vehicle check report dated 25-02-2006, which was prepared at the time of seizure of the vehicle, would disclose violation of the provisions of the Motor Vehicles Act. The truth or otherwise of the allegations made is a matter of enquiry.

Pending enquiry in this regard, the respondents are directed to release the Heavy Goods vehicle bearing No.AP-04-U-6777 in question on the petitioner depositing Rs.15,000/- (Rupees fifteen thousand only) and on furnishing an undertaking to the effect that the vehicle in question shall not be sold or transferred and not to create third party rights over the vehicle in question, till final orders are passed by the first respondent pursuant to the enquiry. The amount deposited and the undertaking given by the petitioner are subject to final orders to be passed by the first respondent pursuant to the enquiry.

The writ petition is accordingly disposed of at the stage of admission. No order as to costs.

_____

07th March, 2006

Note:

Furnish C.C. by 09-03-2006

B/o.

SKM